

REMARKS

I. Allowed Claims

Claims 21 to 24, the part of claim 25 dependent on claim 21 and method claims 33 to 38 were allowed.

No changes were made in method claims 33 to 38.

No changes were made in the dependent container claims 22 to 24. Claim 25 was amended so that it no longer depends on canceled claim 20, but only depends on claim 21.

Allowed claim 21 has been amended for the following reasons.

Claim 21 claims the closeable container that is made by the method of claim 33. In the method of claim 33 a reactive cross-linkable plastic is applied to the glass bottle and then a RIM process is performed. However during the RIM process the plastic is cross-linked, as explained in prior art that describes the RIM method (such as that cited on page 11 of the specification and in the U.S. Patent issued to Gaudreau and the references cited by Gaudreau). Thus claim 21 as filed in the previous amendment contained wording that was not exactly accurate because after the RIM method is performed to make the closeable container the plastic layer is no longer cross-linkable and would not be as readily heat-softened, if at all.

For the foregoing reasons the wording in lines 3 to 5 of claim 21 has been canceled and replaced by product-by-process wording that describes the formation of the plastic layer on the glass bottle in the terms used in claim 33.

formation of the plastic layer on the glass bottle in the terms used in claim 33. This change has basis in the current disclosure and the resulting claim 21 should be allowed over the prior art for the same reasons as presented in the amendment of January 19, 2004.

It is respectfully submitted that the changes proposed in the allowed claim 21 should be made and that the resulting amended claim 21 should be allowed over the prior art, as well as claims 22 to 25.

II. Claims Objected to

Claims 26, 28, 29 and 31 were only objected to but were found to be allowable when the subject matter of the claims they depended on were included in them by amendment. These claims each only depended on claim 20.

These claims were amended as directed by including the subject matter of claim 20 in them, but with the same changes in wording that were made in claim 21. Allowance of amended claims 26, 28, 29 and 31 is respectfully requested in view of these claim changes.

Dependent claim 39 has been added for completeness because claim 25 could not be amended to depend on either claim 21 or claim 26.

III. Rejected Claims

Claims 20 and 25/20 were rejected under 35 U.S.C. 103 (a) as obvious over Lenard, et al. Claim 20 and the part of claim 25 that depended on claim 20 have been canceled. Thus this obviousness rejection has been obviated.

Claim 27, which originally depended on claim 20, was rejected as obvious under 35 U.S.C. 103 (a) over Lenard, et al, and further in view of Waugh. The dependence of claim 27 has been changed to claim 21, thus obviating this rejection.

Claim 30, which originally depended on claim 20, was rejected as obvious under 35 U.S.C. 103 (a) over Lenard, et al, and further in view of Sturm. The dependence of claim 30 has been changed to claim 21, thus obviating this rejection.

Claim 32 was rejected as obvious under 35 U.S.C. 103 (a) over Lenard, et al, and further in view of Niederst, et al. Claim 32 has been canceled. No claim now claims a plastic bottle with a plastic coating. Thus this obviousness rejection has also been obviated.

In view of the foregoing allowance of the pending claims is respectfully requested.

IV. Drawing and Specification

Fig. 4 was objected to under 37 C.F.R. 1.84(h)(5) because figure 4 showed several different embodiments on the same figure.

A sketch of a proposed drawing correction of this sheet of the drawing, namely 4/6, has been provided. Figure 4 has been divided into three figures 4a, 4b and 4c each showing the three different embodiments separately.

Also the descriptions of fig. 4 in paragraph 56 of the substitute specification filed January 19, 2004 and paragraph or section 46 have been changed accordingly.


Withdrawal of the objection to the drawing under 37 C.F.R. 1.84(h)(5) is respectfully requested in view of the changes in the drawing and specification.

Approval of the new figures 4a, 4b and 4c is also requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawing be further amended or corrected in formal respects to put this case in condition for final allowance, then it is requested that such amendments or corrections be carried out by Examiner's Amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing the case to allowance, he or she is invited to telephone the undersigned at 1-631-549 4700.

In view of the foregoing, favorable allowance is respectfully solicited.

Respectfully submitted,


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REPLACEMENT SHEET

4/6

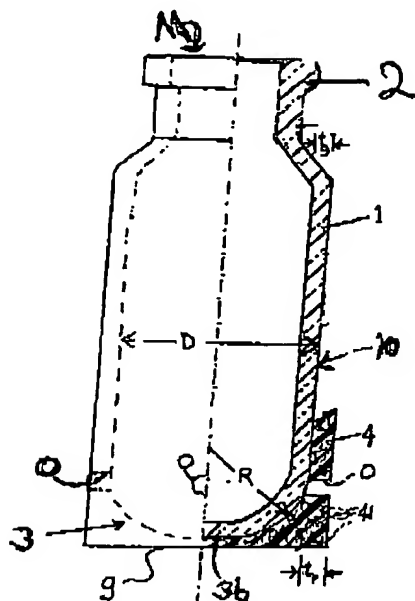


FIG. 4a

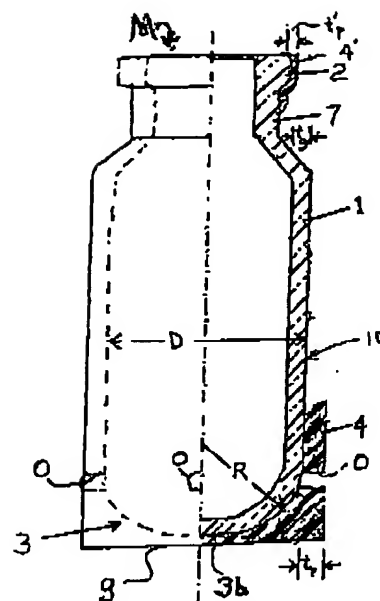


FIG. 4b

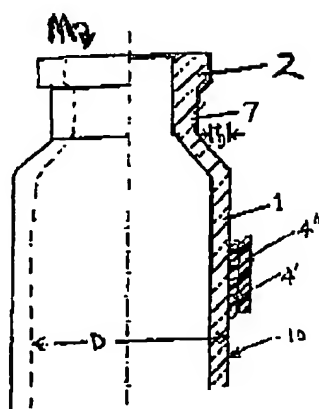


FIG. 4c